

## REMARKS

In regard to the referred to deadline for reply by appeal to the Final Office action, the record shows that such deadline has already been met by noting of an appeal on March 2, 2003 and filing of an Appeal Brief on March 7, 2003.

As to entry of amendments proposed under 37 CFR 1.116, a third Rule 116 amendment was submitted on March 7, 2003 with the Appeal Brief, preceding the Advisory Action in which amendment entry was refused without reference to the latter Rule 116 amendment through which cancellation of claims 1 and 4-7 was proposed so as to limit consideration to claims 2 and 3.

In regard to the issue raised in the Final Office action under 35 U.S.C. 112 as indicated in the Advisory Action, such issue is not applicable to claim 2 according to the Final Office action wherein only claim 1 is rejected under 35 U.S.C. 112. The limitations of claim 2 avoids rather than repeats such issue by virtue of the recitations: "processing elements--through which filtered fluid is laterally withdrawn as a cleansed portion of the contaminate-laden fluid; and drain means--for discharging said cleansed portion--from the sealed chamber--". Both filtering of the contaminate-laden fluid by axial flow between the processing elements and lateral filtrating flow therethrough is furthermore emphasized as a significant feature of the subject invention on page 5 of the Appeal Brief under the (5) Summary of the Invention.

In view of the foregoing referred to facts of record and the arguments set forth in the Appeal Brief, an allowance of the application based on claims 2 and 3 on appeal is in order and hereby again requested.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Jacob Shuster".

JACOB SHUSTER, Reg. No. 19,660  
Attorney for Applicants

Tele: (301) 227-1835  
OFFICE OF COUNSEL CODE 39  
NAVAL SURFACE WARFARE CENTER  
CARDEROCK DIVISION HEADQUARTERS  
DAVID TAYLOR MODEL BASIN  
9500 MACARTHUR BOULEVARD  
WEST BETHESDA, MD 20817-5700